

(f) APPROPRIATIONS; REIMBURSEMENTS.—

(1) IN GENERAL.—Out of any amounts in the Treasury not otherwise appropriated—

(A) there are appropriated to the Secretary such sums as are necessary, to remain available until December 31, 2021, for the cost of interest rate adjustments under subsection (c)(1)(A);

(B) there is appropriated to the Secretary \$300,000,000, to remain available until December 31, 2021, for the cost of modifications under subsection (c)(1)(B); and

(C) there are appropriated to the Federal Financing Bank such sums as are necessary, to remain available until December 31, 2023, for the liquidation of residual intragovernmental amounts owed by the Federal Financing Bank in connection with qualified loans described in subsection (b) modified after the date of enactment of this Act.

(2) CALCULATION.—For purposes of paragraph (1)(C), the calculation of the sums necessary for the liquidation of residual intragovernmental amounts owed shall take into account all amounts otherwise transferred to the Federal Financing Bank for the qualified loans described in that paragraph.

(3) EMERGENCY DESIGNATION.—

(A) IN GENERAL.—The amounts provided by this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(B) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2320. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI of division H, add the following:

SEC. 806. ADDITIONAL DEDUCTION FOR COST OF CERTAIN MATERIALS PURCHASED DIRECTLY FROM A DOMESTIC SMELTER OR PROCESSOR.

(a) FINDINGS.—Congress finds the following:

(1) It is in America's best interest to ensure a robust and secure domestic supply chain for U.S. manufacturers.

(2) The United States' increasing reliance on foreign sources of metals and minerals threatens our economic and national security while providing our geopolitical rivals, such as China and Russia, leverage over our economy.

(3) Incentivizing domestic mineral and metal production and the purchase of these materials will make our nation's supply chains more secure and resilient.

(b) DEDUCTION.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 181 the following new section:

"SEC. 182. ADDITIONAL DEDUCTION FOR COST OF CERTAIN MATERIALS PURCHASED DIRECTLY FROM A DOMESTIC SMELTER OR PROCESSOR.

"(a) IN GENERAL.—There shall be allowed as a deduction (in addition to any other deduction allowed under this chapter for the cost of specified domestically-produced ma-

terials) an amount equal to 10 percent of the cost of specified domestically-produced materials if such materials are acquired by the taxpayer directly from the domestic smelter or processor of such material.

"(b) SPECIFIED DOMESTICALLY-PRODUCED MATERIALS.—For purposes of this section—

"(1) IN GENERAL.—The term 'specified domestically-produced materials' means any of the following:

"(A) Any specified material which is a mine product that is smelted or processed in the United States.

"(B) Any specified material which is a mine tailings product which is beneficiated in the United States.

"(C) Any specified material which is metal or metal compound production which is—

"(i) reprocessed from slags or residues in the United States, or

"(ii) melted, sputtered, or otherwise produced in the United States.

"(D) Any specified material which is an alloy produced by melting together metals in the United States.

"(E) Any specified material which is a magnet which is sintered or bonded and magnetized in the United States.

"(2) SPECIFIED MATERIAL.—

"(A) IN GENERAL.—The term 'specified material' means minerals that are necessary—

"(i) for the national defense and national security requirements,

"(ii) for the energy infrastructure of the United States, including—

"(I) pipelines,

"(II) refining capacity,

"(III) electrical power generation and transmission, and

"(IV) renewable energy production,

"(iii) for community resiliency, coastal restoration, and ecological sustainability for the coastal United States.

"(iv) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure, or

"(v) for the economic security of, and balance of trade in, the United States.

"(B) EXCEPTIONS.—Such term shall not include—

"(i) fuel minerals, including oil, natural gas, or any other fossil fuels,

"(ii) water, ice, or snow, or

"(iii) sand, stone, gravel, pumice, pumicite, cinders, or clay.

"(c) DOMESTIC SMELTER OR PROCESSOR.—For purposes of this section, the term 'domestic smelter or processor' means—

"(1) in the case of specified domestically-produced materials described in subsection (b)(1)(A), a person in the trade or business of smelting or processing such material,

"(2) in the case of specified domestically-produced materials described in subsection (b)(1)(B), a person in the trade or business of beneficiating such material,

"(3) in the case of specified domestically-produced materials described in subsection (b)(1)(C)(i), a person in the trade or business of reprocessing such material,

"(4) in the case of specified domestically-produced materials described in subsection (b)(1)(C)(ii), a person in the trade or business of melting, sputtering, or producing by melting together such materials,

"(5) in the case of specified domestically-produced materials described in subsection (b)(1)(D), a person in the trade or business of producing such material, and

"(6) in the case of specified domestically-produced materials described in subsection (b)(1)(E), a person in the trade or business of sintering or bonding such materials."

(c) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by inserting

after the item relating to section 181 the following new item:

"Sec. 182. Additional deduction for cost of certain materials purchased directly from a domestic smelter or processor."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2321. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X of division D, add the following:

SEC. 410. FUNDING LIMITATION.

(a) IN GENERAL.—Funding made available by this title shall only be made available for the application or deployment of established technologies with documented performance and an existing commercialization record in order to ensure the timely and desired outcome and performance of the activities funded by this title.

(b) TECHNOLOGY READINESS.—For purposes of determining whether a technology meets the criteria described in subsection (a), the technology readiness level of the technology shall be greater than or equal to 8, as defined by the Technology Readiness Assessment Guide of the Government Accountability Office (report number GAO-16-410G, dated August 2016).

SA 2322. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40321(b) of subtitle C of title III of division D, strike "Committee on Energy and Natural Resources of the Senate" and insert "Committees on Energy and Natural Resources and Armed Services of the Senate".

In section 40321(b) of subtitle C of title III of division D, insert "Armed Services," after "Energy and Commerce".

In section 40321(c)(1) of subtitle C of title III of division D, in the matter preceding subparagraph (A), insert "in consultation with the Department of Defense," after "by the Department".

In section 40321(c) of subtitle C of title III of division D, add at the end the following:

(6) A strategy for studying the use of small modular reactors and micro-reactors to power Department of Defense installations domestically.

SA 2323. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA

(for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

SEC. 115. HOV FACILITIES EXCEPTION FOR ACTIVE TRAFFIC MANAGEMENT STRATEGIES.

Section 166(b) of title 23, United States Code (as amended by section 11527), is amended—

(1) in paragraph (1), by striking “through (5)” and inserting “through (7)”; and

(2) by adding at the end the following:

“(7) ACTIVE TRAFFIC MANAGEMENT STRATEGIES.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ACTIVE TRAFFIC MANAGEMENT.—The term ‘active traffic management’ means the ability—

“(I) dynamically to manage traffic congestion based on prevailing and predicted traffic conditions; and

“(II) to maximize the effectiveness and efficiency of a HOV facility with respect to trip reliability.

“(ii) ACTIVE TRAFFIC MANAGEMENT STRATEGY.—The term ‘active traffic management strategy’ means a strategy implemented for purposes of active traffic management, including—

“(I) speed advisory controls;

“(II) dynamic lane assignment;

“(III) dynamic hard shoulder running; and

“(IV) adaptive ramp metering.

“(B) EXCEPTION.—A public authority operating a HOV facility may implement 1 or more active traffic management strategies to replace the HOV facility in any case in which, as determined by the public authority, research and analysis demonstrate that the active traffic management strategy will result in—

“(i) an improvement in overall safety; and

“(ii) reduction in traffic congestion.”.

SA 2324. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—CERTS ACT FUNDING

SEC. 71201. REALLOCATION OF FUNDING FOR CERTS ACT.

Notwithstanding any other provision of this Act (or an amendment made by this Act), the following amounts shall be reallocated to carry out the Coronavirus Economic Relief for Transportation Services Act (subtitle B of title IV of division N of Public Law 116-260; 134 Stat. 1182):

(1) \$2,000,000,000 of the total amount authorized to be appropriated for Northeast Corridor grants under section 22101(a).

(2) \$1,000,000,000 of the total amount authorized to be appropriated for National Network grants under section 22101(b).

(3) \$1,000,000,000 of the total amount authorized to be appropriated for transit infra-

structure grants of the Federal Transit Administration under title VIII of division J.

(4) \$500,000,000 of the total amount authorized to be appropriated to carry out the clean school bus program under subsection (f) of section 741 of the Energy Policy Act of 2005 (42 U.S.C. 16091) (as amended by section 71101).

(5) \$500,000,000 of the total amount authorized to be appropriated to carry out the electric or low-emitting ferry pilot program under section 71102(d).

SA 2325. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS

SEC. 71201. FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS.

Notwithstanding any other provision of law, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and division A of subtitle III of title 54, United States Code (formerly known as the “National Historic Preservation Act”), shall not apply to any project or activity that—

(1) is not located in a metropolitan statistical area (as defined by the Office of Management and Budget); and

(2) is carried out using Federal funds.

SA 2326. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. ____ . APPLICATION OF NEPA AND NHPA TO COVERED PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(2) COMMUNICATIONS FACILITY.—The term “communications facility” includes—

(A) any wireless or wireline infrastructure for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds;

(B) any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the provision of communications services; and

(C) any antenna or apparatus that—

(i) is designed for the purpose of emitting radio frequency;

(ii) is designed to be operated, or is operated, from a fixed location; and

(iii) is added to a tower, building, or other structure.

(3) COMMUNICATIONS SERVICE.—The term “communications service” means a service for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds.

(4) COVERED PROJECT.—The term “covered project” means a project that—

(A) is to be carried out within an area for which the President has declared a major disaster or an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) is to be carried out not later than 5 years after the date on which the President made the declaration; and

(C)(i) replaces a communications facility damaged by the disaster or emergency; or

(ii) makes improvements to a communications facility—

(I) that could reasonably be considered as necessary for recovery from the disaster or emergency; or

(II) to prevent or mitigate damage to the communications facility from a future disaster or emergency.

(b) NEPA CONSIDERATIONS.—The Commission shall treat a covered project as a class of action categorically excluded under section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation), from any requirement to prepare an environmental assessment or environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) NATIONAL HISTORIC PRESERVATION CONSIDERATIONS.—Section 306108 of title 54, United States Code, shall not apply with respect to a covered project—

(1) for which the Commission is required to issue a permit; or

(2) that is otherwise subject to the jurisdiction of the Commission.

SA 2327. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2058, line 14, insert before “from eligibility” the following: “, except for municipal broadband providers that are prohibited by State law from offering broadband service in the applicable jurisdiction,”.

SA 2328. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2053, strike lines 12 through 16 and insert the following:

of such individuals; and

(5) broadband adoption, including programs to provide affordable internet-capable devices.